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UNCLAS NASSAU 01458

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ACTION: AMB
INFO: RSO DCM POL CONS

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CLEARED: POL:DBOCONNOR, CONS:VRAMADAN, RSO:ADEJONG

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UNCLAS SECTION 01 OF 03 NASSAU 001458

SIPDIS

SENSITIVE

E.O. 12958: N/A
TAGS: PGOV PHUM KCRM KJUS BF
SUBJECT: BAHAMAS GRAPPLES WITH SHARP RISE IN VIOLENT CRIME

¶1. (SBU) SUMMARY: A series of high-profile murders of prominent professionals in Nassau and Freeport in mid-November, followed by a number of gangland-style killings in the capital November 24-28, have focused renewed public attention on a rising tide of violent crime in The Bahamas. Police statistics show marked increases in murder, rape, attempted rape and armed robbery so far in 2007, fueling public anxiety about a "crime wave" and the criminal justice system's inability to handle it. Top political, religious and business leaders have decried the "unacceptable" level of crime, as the murder tally reached a record high. Participants in a "National Assembly on Crime" held in September stressed the need for more family, church and community involvement with young, unemployed offenders, who are frequently both perpetrators and victims of homicides. With a continued stream of violent criminal acts commanding headlines, Bahamians largely agree on the socio-economic roots of crime, but have not yet reached a consensus on measures to address systemic flaws in the criminal justice system. No quick fixes are in sight. END SUMMARY.

LEADERS ADDRESS CAUSES, CONSEQUENCES OF CRIME

¶2. (SBU) The head of the Bahamas Chamber of Commerce recently joined a chorus of concerned voices in the wake of shocking reports that several prominent Bahamians were killed over the preceding weekend -- including a college professor and acclaimed fashion designer, in separate but possibly connected incidents in Nassau, very near the Embassy -- telling a gathering of business persons at a crime prevention seminar that the criminal justice system was "in complete disarray." The Acting Minister of National Security, and Minister of State for Immigration, Elma Campbell, also addressing the event, warned that if current trends continued, "investors and tourists alike will be driven away, seriously impacting development in our service-based economy."

¶ 3. (SBU) In a widely-publicized presentation in Parliament October 17, the Minister of National Security and Immigration, Tommy Turnquest, framed the ongoing debate by saying an "unacceptably high crime wave" was afflicting the country. The Minister cited preliminary police statistics showing significant increases in murder (up 43% from 2006 to 2007), rape (up 67%), attempted rape (up 63%), and armed robbery (up 50%). Prime Minister Hubert Ingraham echoed this sentiment in a speech to police officials October 19, noting that many perpetrators of serious crimes were youths. The Anglican Archbishop, Drexel Gomez, picked up the refrain in an address to the Anglican Synod October 22, saying crime was the single most important issue affecting the quality of life of citizens and visitors alike. PolOff's regular contacts with legal and human rights observers confirm that worries about crime and lack of punishment have come to outweigh concerns about human rights abuses in the minds of Bahamians.

¶ 4. (SBU) An analysis of recent police statistics presented to a "National Assembly on Crime" held September 14-15 pointed to the existence of a young (16-35), Bahamian (as opposed to Haitian immigrant, as local and media stereotypes often imply), male, criminal sub-culture which the criminal justice system appears incapable of effectively controlling. The Ministry of National Security organized the event, bringing together police and prison officials, media, clergy and civil society representatives to chart a strategy for addressing the worrying rise in violent crime. PolOff attended the opening of the assembly, whose speakers included the Permanent Secretary in the Ministry of National Security, the Deputy Commissioner of Police, the head of the Court of Appeals, and religious leaders. Presenters painted a picture of crimes committed by and against unemployed, under-educated youth apparently enamored of the material accoutrements of the gang culture and operating in an illegal, drug-fueled alternative economy. Speakers' calls for a collective, societal response to the "scourge" of violent crime are now consistently repeated as bad crime news mounts, seemingly on a daily basis.

¶ 5. (SBU) Participants recommended better prison rehabilitation efforts and mooted the introduction of a formal plea-bargaining system to relieve the prosecutorial burden. They and other observers urged more family, church and community involvement with young offenders or potential offenders. The most common conclusion was that deeper, long-term social ills such as family breakdown, poor educational achievement, and the lure for young men of the lucrative, illicit drug economy need to be addressed in order for crime-fighting efforts to succeed. At the end of the Assembly, the Minister of National Security announced the formation of a "National Crime Council" charged with developing an action plan to address crime. The Councils' members, drawn from government, clergy, media, education, and the private sector were announced December 4.

STATISTICS HIGHLIGHT FLAWS IN CRIMINAL JUSTICE SYSTEM

¶ 6. (SBU) Since the high-profile Assembly was held, the stream of shocking, individual criminal acts in The Bahamas has not abated: a woman shot in the face of a bank parking lot in Nassau after making a large withdrawal; an elderly woman killed in her home on Eleuthera Island; a fifteen year-old attempted burglar shot to death in the capital. The grim litany of recent homicide headlines became even more sensational after four homicides occurred in the space of 24 hours from November 15-16, including the grisly killings of the noted professional duo in Nassau, which, like many other violent crimes, may have had its origins in personal disputes. A spate of possibly gang-related shootings November 24-28 pushed the tally of officially recorded murders in The Bahamas this year to 74, far surpassing last year's total of 60 with over a month to go in the year, and matching an all-time record. COMMENT: With a population of some 300,000 people, The Bahamas' current homicide rate

(approximately 25 per 100,000 people) would rank it No. 11 among U.S. metropolitan areas (using 2006 FBI statistics), about matching that of Kansas City, Missouri. END COMMENT.

¶ 7. (SBU) Anguished media commentary on the state of society and the shortcomings of the criminal justice system underlines public anxiety not only about violent crime, but about the inability of the authorities to handle it. According to statistics previously made public by government officials, nearly half of suspects charged with murder so far this year were out on bail for another offense when arrested, while half the homicide victims also had criminal records -- 36% of those including violence. Alarming figures cited by the Minister of National Security in his speech to parliament on October 17 indicated that 114 persons charged with murder are currently out on bail, with over 200 more out on bail for other serious crimes such as rape and armed robbery. To illustrate the point, a drive-by shooting reported on November 22 resulted in the death of a reputed contract killer -- out on bail for murder at the time of his killing. On the other hand, 587 persons incarcerated in prison (of 1,359 total, or 43%) are held while awaiting trial, some for up to four years. The majority of remand prisoners (358, or 61%) languish in the outdated and overcrowded maximum security wing. According to the prison director's public statements, the Bahamas has one of the highest incarceration rates in the world.

¶ 8. (SBU) The revelations have occasioned further hand-wringing by religious leaders, commentators, and legal professionals, shifting attention from the socio-economic origins or causes of crime to the shortcomings of the criminal justice system in prosecuting and punishing it. Informed legal observers do not agree on a diagnosis, let alone a cure. Lengthy legal procedures, large numbers of detained persons, staff shortages in the judiciary, and judicial inefficiency compounded by personnel, financial and space constraints are cited as obstacles to the proper administration of justice. Other legal observers, however, attribute inordinate delays in trials to slow police investigations and inefficient prosecution strategies, pointing to systemic problems in the executive rather than to a lack of judicial capacity. These include lack of selectivity in prosecutions, coupled with a lack of energy in bringing them to court, compounded by a high acquittal rate (48%), which encourages even the guilty to seek their day in court rather than cop a plea. No one is satisfied with prison conditions or chronic overcrowding. The head of the Chamber of Commerce summarized the situation November 19, saying that society had lost its faith in the system, while criminals no longer believed that "if you do the crime, you'll do the time."

COMMENT: PROPOSED REFORMS UNABLE TO IMPACT CRIME RATE QUICKLY

¶ 9. (SBU) The Minister of National Security stated in parliament that the government is considering new measures including: alternatives to incarceration for non-violent offenders; a plea bargaining system; electronic monitoring of indictees released on bail; and increased efforts to rehabilitate convicted criminals. The governing party's only concrete legislative proposal to date, however, was an amendment to the Juries Act reducing the number of jurors from 12 to 9 in non-capital cases. It was passed in parliament on November 5 over vociferous initial opposition, and was dismissed by many commentators as little more than a "fig leaf" for government inaction or incapacity to grapple with the real issues.

¶ 10. (SBU) No recent initiative, including the Juries Act amendment, is likely to make an immediate impact on the crime rate as long as the criminal justice system effectively puts indicted criminals back on the street to commit more crimes. Without introducing specific measures to monitor suspected offenders out on bail, break the logjam in the courts, or increase or optimize space in the prison to keep violent

offenders in and others out, the GCOB is unlikely to make much progress in addressing the underlying causes of the latest "crime wave" to shake the Bahamas.

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